Mr. M. Sivarama Menon *(Advocate-General):* A poll, Sir.

Ayes	Noes
1. Mr. P. Natarajan Chettiar	1. Mrs. T. Francis
2. ,, Thevanna Koundan	2. Miss Anne Joseph
3. ,, P. Govinda Menon	3. Mr. A. Eachara Menon
4. ,, V. R. Krishnan Ezhuthassan	4. Rao Sahib K. Ayyappan
5. ,, P. Achutha Menon	5. Mr. K. S. Panicker
6. ,, P. T. Jacob	6. ,, P. M. Mayankutty
7. ,, C. S. Panicker	7. ,, Jose. K. Verghess
8. ,, P. K. Paul	8. ,, P. A. Muhamad Ashroff
9. ,, P. Sankara Menon	9. ,, K. I. Velayudhan
10. ,, M. K. Raja	10. ,, P. V. Sebastian
11. ,, M. I. Paul	11. ,, M. O. Thomakutty
12. ,, P. Kumaran Ezhuthassan	12. ,, S. S. Koder
13. ,, G. S. Dhara Singh	13. Dr. S. S. Rao
14. ,, P. Mani	14. Mr. P. E. Warne
15. ,, K. Balakrishna Menon	15. ,, S. P. Luiz
16. ,, K. T. Achuthan	16. ,, K. K. Kannan
17. ,, P. I. Ipe	17. ,, K. Kochukuttan
	18. ,, K. A. Raghavan
	19. ,, P. V. Raphael
	20. ,, V. K. Aravindaksha Menon
	21. Rao Sahib I. N. Menon
	22. Mr. A. Madhava Prabhu
	23. ,, B. V. K. Menon
	24. ,, M. Sivarama Menon
	25. ,, K. S. Raghavan
	26. ,, C. J. Mathew
	27. Rao Sahib M. M. Paul
	28. Mr. S. Venketeswaran

Mr. Deputy President: 17 for and 28 against. The motion is lost.

At 3-45 p.m. the Diwan President took the Chair

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* On a point of order, Sir, the neutrals may also be noted.

Mr. President: Order, order. Ever since I have been occupying the Chair of this House I have consistently declined that request. I do not wish to change the procedure on this occasion.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* On another point of order, Sir. The neutrals may be noted till there is a ruling by the Chair to that effect. Till now there has not been a ruling.

Mr. President: I will look the point up; but my recollection is that on the first occasion when this request was made to me I did give a ruling and explained atlength that for the purpose of recording the decision of the House, which is the object of a division, all that is necessary is to record the number of votes for and the number of them against the motion.

CUT MOTION No. 6.

Increased daily allowance to the members of the Legislative Council

Mr. K. T. Achyuthan *(Ezhuvas-Mukundapuram):* I request the permission of the Chair to modify the purpose of my cut motion, by adding "in addition to the daily allowance and the travelling allowance which are now allowed" after the word "provide".

Mr. President: Yes.

Mr. K. T. Achyuthan *(Ezhuvas-Mukundapuram):* My cut motion reads thus:

To reduce the allotment of Rs. 18,390 for General Administration, Legislative Council in Demand No. 16 by Re. 1. *To discuss the desirability in increasing the daily allowance of the members of the Legislative Council to Rs. 10 and to provide in addition to the daily allowance and travelling allowance which are now allowed a monthly sum of Rs. 75 to all elected and nominated non-official members of the Legislative Council.*

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It is with extreme sense of duty not only to the Hon'ble Members of this House, but also to the Public of His Highness the Maharaja who were kind enough to return us to this Council that I venture to move this motion at this time. I know that the last Council, I mean the 5th Council, had the rare privilege of discussing this question thread-bare; but unfortunately we were not blessed with either of the matter now. I think it is high time now that some allowance should be paid to the members who want to do some responsible work in this Council. I concede that people may blame us that there is an element of selfishness because this is an honorary work and we are not expected to receive an allowance. But I appeal to the members and most probably to the people of the State that this allowance may not be uselessly spent. It will have its due purpose and I hold the view that it will have reinforced a support in this Council for the betterment of the condition of the people. Sir, I do not venture now to repeat the arguments that have been expressed when the bill was considered here thread-bare. Now the Government, will have the objection that it may involve high financial commitment to a State which has got more than 280 or 290 lakhs of rupees a petty amount of 43 or 42 thousand may be nothing when considered to the advantages which the Hon'ble Members will make not only in this House but also outside. A responsible Member is expected to do services to the people. Now we have a new Council here new politicians to think a new life. I need not repeat the arguments which have been expressed here. It is a pity with which the Bill was passed here 4 or 5 years. I hope this will seriously consider this aspect without tresspassing upon the sensitive feelings that may occur at the first appearance to the ordinary people. I therefore, think that this House will unanimously support the motion.

Mr. P. Govinda Menon *(Ernakulam):* On behalf of my party, I support this motion. Seven years ago when a bill came before this House I opposed it because my feelings then were that it is not proper that members of the Legislative Council should demand a salary. I have since revised my opinion because the Legislature in our State is occupying a new position, is discharging a new function from what it was when it came into being about 20 years ago. After the enactment of the Constitution Act in 1113, the three limbs of Government as conceived by that Act are the Judicature, the Executive and the Legislature. The Legislature therefore has been deified, so to say as one of the important limbs of the Government and with the introduction of partial Responsible Government in our State the functions of Members of the Legislative Council have become very large and varied. We have practically a wholetime job. A group among us has to give directions and lead the Hon'ble Minister for Rural Development. That being so, any member of the Legislative Council cannot discharge his functions properly unless he devotes more than the time necessary for sitting in this Council and making speeches on the 26 or 27 days on which this House is sitting every year. In India there is a very wrong notion that Public work must be done honorarily. That is a relic of the old idea of the "Sanyasins".

Rao Sahib K. Ayyappan *(Ezhuvas-Kanayannur):* They were also getting everything.

Mr. P. Govinda Menon *(Ernakulam):* But we are not getting. On one occasion Pandit Jawaharlal Nehru has recorded that an American friend of his was surprised when he was told that as General Secretary of the Congress Mr. Nehru was not receiving a salary. In India there was a time when the people thought that for a public worker, to expect something by way of remuneration, was wrong. Those were days when rich, influencial people, aristocrats, were interested in arm-chair politics. Those days have gone and the difficult task of politics is gradually being transferred from the rich and influencial classes to the man of the masses, to the man without means. One of the several reasons therefore why legislatures, the world over, are thinking of giving salaries to legislators is that the man without means must be able to take part in politics. In England members of Parliament, I am told, are paid. The leader of the opposition is believed to discharge as important a function as the Chief Minister of the King and therefore the leader of the opposition is also paid. With the emergence of the Labour Party into the lime-light, into the politics of Great Britain, it is after that, that these changes have been introduced there because the burden of politics was shifted from the rich and influencial people to the ordinary man. That state of affairs is gradually coming in our country also. The Congress Ministry in British India—I do not know whether it is the case in all the Legislatures—in the Madras Legislature, allowed a salary of Rs. 75 a month to the legislators. In the neighbouring State of Travancore we find that an allowance is being granted to the members of the legislature. All these changes are on account of the reason that there is a changed outlook both on the part of the Government and the Public towards the functions to be discharged by the legislators and a feeling that the man without means must be able to play his part in politics. For that reason I support the motion made by my Hon'ble friend, the Member for Mukundapuram-

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Ezhuvas. I believe the Government will bestow its consideration to the demand that is made and allow it.

മിസ്റ്റർ കെ. കൊച്ചുകുട്ടൻ: സർ, ഞാൻ ഈ ഉപക്ഷേപത്തെ പിന്താങ്ങുന്നു. അലവൻസു വാങ്ങിക്കാനുള്ള കൊതികൊണ്ടല്ല. എന്നാൽ അലവൻസു കിട്ടുന്നതു അഭിമാനക്ഷയമാണെന്നു് കരുതുന്നുമില്ല.

ഈ നിയമസഭയിലെ സാമാജികന്മാക്കു വളരെ ഉത്തരവാദിത്വം നിർവ്വഹിക്കേണ്ടതായിട്ടുണ്ടു്. അവരെ അവരുടെ ഉത്തരവാദിത്വത്തിന്മേൽ ഏറ്റവും ഉറപ്പിച്ചു നിറുത്താൻ പ്രയോജനപ്പെടുന്ന ഒരു സഹായം മാത്രമാണിതു്. തിരുവിതാംകൂറിൽ അവിടത്തെഗവമ്മേണ്ടും മദ്രാസിൽ കോൺഗ്രസ്സു ഗവമ്മേണ്ടും അനുവദിച്ചിട്ടുണ്ടു്. അതു പകത്താൻ സന്മനസ്സുള്ള ഇവിടത്തെ ഗവമ്മേണ്ടും പകത്തണമെന്നാണു് ഞാൻ ആവശ്യപ്പെടുന്നതു്. പണസംബന്ധമായകാര്യങ്ങളിലുള്ള വിഷമം വാസ്തവത്തിൽ ഈ നിയമസഭയിലെ ഒരംഗത്തെ അദ്ദേഹത്തിന്റെ, കൃത്യനിർവ്വഹണത്തിൽ നിന്നും വളരെ വളരെ അകറ്റി നിറുത്തുന്നതാണു്. ഈ അലവൻസു് അദ്ദേഹത്തിന്റെ ചുമതലയെ മുന്നോട്ടുകൊണ്ടുപോകുവാൻ ഏറ്റവും പ്രയോജനപ്പെടുന്നതായിരിക്കും.

മറ്റുള്ള ഏതൊരു ബഹുമാനപ്പെട്ട മെമ്പറേയും അപേക്ഷിച്ചു അധഃകൃത പ്രതിനിധിക്കുള്ള ചുമതല ഏറ്റവും വർദ്ധിച്ചതാണു്. അതുകൊണ്ടു കഴിയുമെങ്കിൽ ഞാൻ പറയുന്നതു ഇതിന്റെ ഒരഞ്ചിരട്ടി കൂടുതൽ തന്നു ഞങ്ങൾക്കു വേണ്ടി സൌകര്യങ്ങൾ വർദ്ധിപ്പിക്കേണ്ടതാണെന്നാണു് ഈ അവസരത്തിൽ ഞാൻ ഗവർമ്മേണ്ടിനെ ഓർമ്മപ്പെടുത്തുന്നതു്. കൊച്ചിയിലെ ഏതൊരു മുക്കിലും മൂലയിലും മറ്റുള്ളവരുടെ പീഡനത്തേയും ഭയപ്പെടുത്തലിനേയും നേരിടേണ്ടിവരുന്ന അധഃകൃതരെ അതിൽനിന്നു് രക്ഷിക്കുന്നതിനായി ഉടനടി ആ സ്ഥലങ്ങളിൽ എത്തിച്ചേരേണ്ട അധഃകൃത പ്രതിനിധിക്കു ധനസംബന്ധമായ സഹായംപോലെ മറ്റൊരു സഹായവും പ്രതീക്ഷിക്കാനില്ല. അഞ്ചിരട്ടി തരണമെന്നു് ഞാൻ പറയുന്നതു് ഇതിന്റെ പ്രാധാന്യത്തെ അതഫ്ഹിക്കത്തക്കനിലയിൽ ഗവമ്മേണ്ടിന്റെദൃഷ്ടിയിൽ കൊണ്ടുവരാനാണു്.

ഇവിടെ മിസ്റ്റർ മൂത്തേടൻ അവതരിപ്പിച്ചുവെന്നു് പറയുന്നബിൽ—ഈ സഭയുടെ ശ്രദ്ധിപ്പിക്ഷത്തോടുകൂടി പാസ്സായ ബിൽ—മഹാരാജാവു തിരുമനസ്സിൽ നിന്നു് തുല്യം ചാർത്താതെ പോയതിൽ ഞാൻ അഭിമാനംകൊള്ളുന്നു. അതു അംഗീകരിച്ചിരുന്നെങ്കിൽ അതു ഇവിടത്തെ മെമ്പറന്മാരുടെ അഭിമാനത്തെ ക്ഷതം വരുത്തുന്നതായിരുന്നേനെ. ഇവിടത്തെ ഒരു I class ഉദ്യോഗസ്ഥനിൽനിന്നും പൊതുജന പ്രതിനിധികളെ തരംതാഴ്ത്തുന്ന മനോഭാവമായിരുന്നു മൂത്തേടന്റെ ബിൽ. ഇന്നു ഞങ്ങളും ഇവിടെ അവതരിപ്പിച്ചിരിക്കുന്ന ഉപക്ഷേപം ഞങ്ങളുടെ അഭിമാനത്തെ സുരക്ഷിതമാക്കുംവിധത്തിലുള്ള ഒന്നാണു്. അതനുവദിച്ചു തരണമെന്നാണു് എനിക്കു പറയാനുള്ളതു്.

ഈ ഉപക്ഷേപം ഇവിടെ പാസ്സാകുമോ ഇല്ലയോ എന്ന കാര്യത്തിൽ എനിക്കു സന്ദേഹമില്ല. ഒരു കാര്യം എനിക്കു ഗവർമ്മേണ്ടിനെ ഉൽബോധിപ്പിക്കാനുണ്ടു്. ഇതിവിടെ പാസ്സായി മഹാരാജാവു തിരുമനസ്സിലെ സന്നിധിയിലേയ്ക്കു പോകുമ്പോൾ അതു അവിടുന്നു തുല്യം ചാർത്താനുള്ള ഒത്താശകൾ കഴിവുള്ളവർ ചെയ്യണമെന്ന അപേക്ഷയാണതു്. എന്നതെന്നെയല്ല മഹാരാജാവു തിരുമനസ്സിലെ ഭരണകൂടത്തെ തിരിക്കാൻ അവിടന്നു കല്പിച്ചനുവദിച്ചിട്ടുള്ള ഈ മെമ്പറന്മാക്കു ഇതു ഒരു പുതുവത്സരബഹുമതിയായി അനുവദിച്ചുതരേണ്ടതാണു് എന്നും ഞാൻ അപേക്ഷിക്കുന്നു. പുതുവത്സരത്തിലെ പുതുമ ഏറിയ പുഞ്ചിരിപ്പുലരിമുതൽ ഇതനുഭവിക്കുന്നതിനുള്ള അവകാശം ഞങ്ങൾക്കുണ്ടാകുമെന്നുള്ള വിശ്വാസത്തോടുകൂടി ഞാൻ ഇതിനെ ശക്തി ആയി പിന്താങ്ങുന്നു.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Can we speak after the Government Member has replied?

Mr. President: No, Sir. I think that will prolong the discussion unduly. There is a very long list of cut motions.

***Mr. P. Kumaran Ezhuthassan** *(Vadakkancheri):* I have very great pleasure in supporting this cut motion as modified, with only one request, if that is acceptable to my Hon'ble friend to change the word "desirability" into "dire necessity". Now, Sir,

*Speech not corrected by the Hon'ble Member.

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I put the whole case on a different ground. There is provision in the Cochin Constitution Act that allowances to members are to be decided according to the Act of Legislature to be passed from time to time. There is a specific expression like that. That means, according to the change of conditions of time, this Council is given power to enact their allowances. One such an attempt has already been made with the fate it has received. It is only our fault if we have not moved in the line. But this is only a feeler just demanding the Government to do the right thing at the proper time and if we fail, of course, do what is absolutely necessary in the interests not personal of the Members for keeping up the prestige of this Legislature as contemplated by the Constitution Act. Again look into this brown Budget that has been presented us yesterday! There is a total for the General Administration. There are various sub-heads under it and one of the sub-heads is the Legislative Council. What is the proportion that the Legislative Council is given, which is perhaps the most important part of the General Administration? For that item the proportion is so very small. Hence I support this motion.

Rao Sahib K. Ayyappan *(Ezhuvas-Kanayannur):* Sir, I also support this motion. I am in an uncomplimentary way dubbed practical politician. From a practical point of view I support this motion. From a practical point of view I take my instance first. This allowance will be a very great help to me.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* To many.

Rao Sahib K. Ayyappan *(Ezhuvas-Kanayannur):* I was not taking any money in an untoward manner. I have been doing some work for the people for so many years together. I think this allowance will be helpful to workers like me, and I think many of my friends are like me. There are many who can forego this help.

Mr. P. Govinda Menon *(Ernakulam):* Let them give to us.

Rao Sahib K. Ayyappan *(Ezhuvas-Kanayannur):* What is it we demand here? Only a sum of 43,200 rupees more. Government will not be so miseraly as to grudge this petty small amount. It will really help the work of the Council. Many people will be able to devote their whole time to the work which is demanded of them. If we are true members of the Council we cannot be satisfied with the coming to the Council for 25 or 27 days and making speeches. We will have to study the works of the other half of the Council.

Mr. V. R. Krishna Ezhuthassan *(Urakam):* Not exactly the half but one third.

Rao Sahib K. Ayyappan *(Ezhuvas-Kanayannur):* That is really a very arduous task Government Members draw Rs. 800 and upwards and for establishment Government spent about so many lakhs. Half a lakh that is what we require now of the 3 crores.

Mr. P. Achyutha Menon *(Kattur):* Food Department thirteen and odd lakhs.

Rao Sahib K. Ayyappan *(Ezhuvas-Kanayannur):* I will not touch that Department. I will recommend more for that Department.

Mr. P. Govinda Menon *(Ernakulam):* We are not discussing that now.

Rao Sahib K. Ayyappan *(Ezhuvas-Kanayannur):* What I say is that on grounds of false sentiments we are not at all shy to ask for our legitimate due from the Government. I think it will be unanimously voted. As Mr. Kochukuttan said it must be given effect to immediately.

Mr. P. Govinda Menon *(Ernakulam):* With restrospective effect.

Rao Sahib K. Ayyappan *(Ezhuvas-Kanayannur):* Restrospective effect must also be given. What I want to impress upon the Diwan President is that it is a most desirable thing. Once again, I say I am speaking from my own personal experience. It will be very useful to give this modest allowance to the Members.

***Mr. L. M. Pylee** *(Latin-Christians Ernakulam):* Mr. President, Sir, I also support this motion. When a demand like this is made it might be misconstrued by the public at large that we are a little bit selfish in asking for a monthly income, that is mentioned here. But, Sir, the public will realise as this House realises that for the better discharge of the duties by the Members of this House and for the efficiency of the work by this Legislature this is not only desirable, but speaking from my own personal experience I may say that this is absolutely necessary. Sir, anybody who sees the present personnel of the present Council, will, I am sure,

*Speech not corrected by the Hon'ble Member.

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form the impression that this Council excepting of course the Treasury Bench and excepting perhaps a few seats in the Council, this Council is manned by ordinary—without meaning anything to any member-shall I say poor House, and we are here as one Hon'ble Member pointed out not only for the days during which the Council sits. Sir, from my personal experience and I am sure it is the experience of many of the non-official members of this House, the work that devolves to each member of the Legislature is heavy and particularly when a person has to come from another State and attend to the duties that are incumbent upon him, it becomes extra heavy. Sir, the members feel that their duties do not begin nor are over coming and sitting here during those days, those months and those weeks which intervene from one sitting to another. Surely we find that we have to discharge a great many duties informally and unofficially it may be, and we are subjected to great hardships and very often to serious pecuniary loss. Well, I do not reveal the facts which come within my experience personally but I am sure the Government and public will realise that many of us have to discharge our duties if we have to discharge our duties faithfully and I emphasis the fact that these duties are very heavy and onerous, if we are not to be mere puppets sitting here but if we are to study the conditions and devise the necessary measures to redress or at least to improve the lot of the people, surely we have to do a lot and we have to apply our mind and body and we have to spent our own resources for that purpose, for the purpose of serving people. Therefore, Sir, let not anybody dub us with selfishness in this matter. It is a legitimate thing, an allowance that we ask for not for the purpose of gain and I am sure every pie that is got will be spent merely upon matters to which we attend to. There will be no gain whatsoever. Sir, with these remarks, therefore, I draw the attention of the Government to this overdue, long-felt want and to remind the Government once again that it is the universnal practice, practice almost all over the world, the practice in almost all the Parliament of the world and practice in British India.

Mr. B. V. K. Menon *(Secretary to Government):* Well, Sir, I am glad to say that the Hon'ble Members who spoke in support of the motion have, in the view of the Government, given some cogent reasons why this allowance should be given to the members elected and nominated to this Council and I can assure the House that Government will be prepared to re-examine this question once again. Why I say re-examine, is, as the House is aware, that when a similar bill was brought in this House some time back Government took an attitude of opposition. In the light of the remarks and the arguments adduced in this House to day I am glad to say on behalf or the Government that we will be prepared to re-examine this question.

Mr. K. T. Achuthan *(Ezhuvas-Mukundapuram):* Sir, in fact I am glad to express that the Government rose for the occasion and was reasonable enough to state that it will be considered most seriously and effectively. Any how since it is my duty now to press this motion not to say that I am not convinced by the arguments given by the Government but to show that we are unanimous on this matter and to strengthen the hands of the Government in carrying it into action.

Cut Motion put and carried

CUT MOTION No. 7

Franchise Committee—Appointment of

Mr. P. Sankara Menon *(Trichur-North):* The cut motion in my name reads thus:

To reduce the allotment of Rs. 18,390 for Legislative Council in Demand No. 16-1 by Re. 1. *To emphasise the urgent necessity of appointing a franchise committee.*

Sir, I do not think it is necessary at this stage for me to deal in detail the urgent necessity for the establishment of a franchise committee because it has already been adverted to, during question hour and I think it has been brought to the notice of the Government, the gross irregularities prevailed in the recent elections. Apart from that the present constituencies are mostly divided neither on the population basis nor on a geographical basis. But on what basis they are divided is a matter which is known only to the last committee which was responsible for the present division. I think most probably it may be due to the fact that the members of the last committee did not think it necessary to go about the places and visit the constituencies themselves. Otherwise those would not have been recommended by them. For instance the Anthikad Constituency which lies on the western side of the Trichur constituency comes touching

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